



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2, 290 Broadway, 17th Floor
New York, NY 10007

DEC - 3 2015

BY FOIA ONLINE & EMAIL

Adam Arnold, Esq.
Gibbons, PC
One Gateway Center
Newark, NJ 07102

Re: Freedom of Information Act (FOIA) Request EPA-R2-2015-011138

Dear Mr. Arnold:

This will respond to your Freedom of Information Act ("FOIA") request EPA-R2-2015-011138, seeking all documents related to the "Source Investigations" conducted by EPA Region 2 at both the Lister Avenue Site in Newark, New Jersey and the former Givaudan Fragrances site in Clifton, New Jersey in 2015, including all data reports and summaries, sampling plans, field notes, and any correspondence to and from EPA related to these investigations. EPA previously released responsive information through FOIAonline on October 22, 2015. The balance of the information has now been uploaded for release. This is EPA's final response.

EPA is withholding several documents, as reflected on the enclosed withholding log. Where it was possible to segregate nonexempt information from the privileged portions of a responsive document, we have done so.

You may appeal this partial denial response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20004.

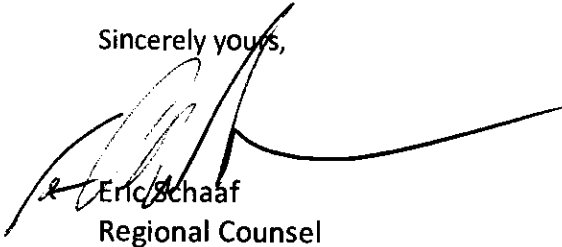
Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should clearly identify the determination being appealed, including

the assigned FOIA request number shown above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal." See 40 C.F.R. §2.104(j) for further information regarding appeals of adverse determinations under FOIA.

Pursuant to 40 C.F.R. § 2.107, EPA will transmit a bill for the costs incurred by EPA in searching our files, reproducing documents, and preparing our response to your FOIA request, which total \$532.00. You should receive the bill through FOIAonline, along with instructions for payment.

Please contact Sarah Flanagan of my staff at 212-637-3136 if you have any questions concerning this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Eric Schaaf", with a long horizontal flourish extending to the right.

Eric Schaaf
Regional Counsel

cc: Wanda Calderon
Jacqueline Ferreras-De Jesus

Quantity/type of document	Author	Recipient	Dates	Subjects of documents	Exemption Status
Exemption 5: Predeliberative and Deliberative, Attorney Work-Product					
Statement of Work for Environmental Response Team (ERT) Work Assignment - drafts	Eugenia Naranjo, Marc Greenberg, Sarah Flanagan	n/a	8/21/2013, 8/23/2013, 9/6/2013	EPA planning for investigation of dioxin in Passaic River.	Exemption 5: Predeliberative and deliberative, release would have chilling effect on EPA's internal discussions; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories
Exemption 5: Attorney Work-Product; Exemption 7(A): Could Interfere with Enforcement Proceeding					
Email exchanges between EPA Office of Regional Counsel (ORC) and New Jersey Attorney General's Office	Sarah Flanagan, EPA-ORC, John Dickinson, NJAG's office	Sarah Flanagan, John Dickinson, also Ray Basso, EPA and Tom Cozzi, NJDEP	11/6/2014- 11/17/2014, 12/18/2014	Discussion of NJDEP role in approving EPA work at Givaudan property	Exemption 5: attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories. Exemption 7(a) documents compiled for enforcement purposes, disclosure of which would interfere with enforcement proceedings.

Exemption 5: Predecisional and Deliberative, Attorney-Client Communication					
Email exchanges between EPA and NJDEP	Eugenia Naranjo, EPA-ERRD, Janine MacGregor NJDEP, Anne Hayton, NJDEP, Lynn Vogel, NJDEP, John Dickinson, NJAG's office	Janine MacGregor, NJDEP, Steve Maybury, NJDEP, Anne Hayton, NJDEP, Lynn Vogel, NJDEP, John Dickinson, NJAG's office	11/17/2014 - 11/18/2014	Discussion of work at Givaudan property, NJDEP approval thereof	Exemption 5: Predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice
Exemption 5: Predecisional and Deliberative					
Email exchanges between EPA and NJDEP	Eugenia Naranjo, EPA-ERRD, Janine MacGregor, NJDEP	Eugenia Naranjo, EPA-ERRD, Ray Basso, EPA-ERRD, Janine MacGregor, NJDEP, Anne Hayton, NJDEP, Tom Cozzi, NJDEP	11/15/2013-1/24/2014, 8/20/2014-8/29/2014	Questions and comments on draft QAPP	Exemption 5: Predecisional and deliberative, release would have chilling effect on EPA's internal discussions